

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

FILED IN OPEN COURT
ON 5/2/2013 *UD*
Julie A. Richards, Clerk
US District Court
Eastern District of NC

United States of America

v.

Benjamin Terrence Hines

AMENDED JUDGMENT

Date of Original Judgment: September 16, 2008

Date of Previous Amended Judgment: February 26, 2010

(Use Date of Last Amended Judgment if Any)

Case No: 5:07-CR-323-2BO

USM No: 51000-056

Thomas P. McNamara

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of 135 months **is reduced to** 87 months.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated September 16, 2008, and February 26, 2010, shall remain in effect. **IT IS SO ORDERED.**

Order Date:

5-2-13

Terrence W. Boyle

Judge's signature

Effective Date:

(if different from order date)

Terrence W. Boyle, United States District Judge

Printed name and title